

JS 44 (Rev. 07/16)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS Noel Quintana a/k/a Christopher Sandle	DEFENDANTS City of Philadelphia, et al.
(b) County of Residence of First Listed Plaintiff Philadelphia <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>	County of Residence of First Listed Defendant Philadelphia <i>(IN U.S. PLAINTIFF CASES ONLY)</i>
(c) Attorneys (Firm Name, Address, and Telephone Number) Rania M. Major, Esquire 2915 N. 5th Street Philadelphia, PA 19133 (215) 291-5009	Attorneys (If Known) Douglas Weck, Esquire Philadelphia District Attorney's Office Three South Penn Square, 13th Floor

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w Disabilities - Employment <input type="checkbox"/> 446 Amer. w Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
☒ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation - Transfer
☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
 42 U.S.C. Section 1983
 Brief description of cause:
 Plaintiff alleges federal civil rights violation under 42 U.S.C. Section 1983

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.
DEMAND \$
 CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE 04/11/2017 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

IN THE UNITED STATES DISTRICT COURT
THE EASTERN DISTRICT OF PENNSYLVANIA

NOEL QUINTANA a/k/a	:	CIVIL ACTION
CHRISTOPHER SANDLE	:	
1718 S. 21 st	:	NO. 17-CV-00996
Philadelphia, PA 19145	:	

PLAINTIFF

v.

CITY OF PHILADELPHIA
1515 Arch Street
14th Floor
Philadelphia, PA 19102

and

PHILADELPHIA POLICE DEPARMENT
c/o City of Philadelphia Law Department
1515 Arch Street
14th Floor
Philadelphia, PA 19102

and

RICHARD ROSS, JR., Individually
and in his official capacity as Commissioner
of the Philadelphia Police Department
c/o City of Philadelphia Law Department
1515 Arch Street
14th Floor
Philadelphia, PA 19102

and

POLICE OFFICER JEFFREY SCHMIDT,
Badge No. 4466
Individually and in his official capacity as a
Police Officer of the City of Philadelphia
24th Police District
3901 Whitaker Avenue
Philadelphia, PA 19124

and :
:
POLICE OFFICER SEAN S. MATRASCEZ, :
Badge No. 9893 :
Individually and in his official capacity as a :
Police Officer of the City of Philadelphia :
24th Police District :
3901 Whitaker Avenue :
Philadelphia, PA 19124 :
:

and :
:
POLICE OFFICER JOHN E. COLE, :
Badge No. 4037 :
Individually and in his official capacity as a :
Police Officer of the City of Philadelphia :
24th Police District :
3901 Whitaker Avenue :
Philadelphia, PA 19124 :
:

and :
:
POLICE OFFICER TIMOTHY M. MILLER, :
Badge No. 2357 :
Individually and in his official capacity as a :
Police Officer of the City of Philadelphia :
24th Police District :
3901 Whitaker Avenue :
Philadelphia, PA 19124 :
:

and :
:
POLICE OFFICER SAMUEL H. HUDSON, :
Badge No. :
Individually and in his official capacity as a :
Police Officer of the City of Philadelphia :
24th Police District :
3901 Whitaker Avenue :
Philadelphia, PA 19124 :
:

and :
:
POLICE SERGEANT JOHN MORTON, :
Badge No. 561 :
Individually and in his official capacity as a :
Police Officer of the City of Philadelphia :
24th Police District :
:

3901 Whitaker Avenue
Philadelphia, PA 19124

and

DETECTIVE MICHAEL MCGOLDRICK
Badge No. 8011
c/o City of Philadelphia Law Department
1515 Arch Street
14th Floor
Philadelphia, PA 19102

and

DETECTIVE THOMAS MARTINKA
Badge No. 921
c/o City of Philadelphia Law Department
1515 Arch Street
14th Floor
Philadelphia, PA 19102

and

LIEUTENANT ANTHONY MIRDEDLA,
Badge No. 147
c/o City of Philadelphia Law Department
1515 Arch Street
14th Floor
Philadelphia, PA 19102

and

DETECTIVE PHILLIP NARDO
Badge No. 936
c/o City of Philadelphia Law Department
1515 Arch Street
14th Floor
Philadelphia, PA 19102

and

HOMICIDE DETECTIVE BAMBRUSKEY
c/o City of Philadelphia Law Department
1515 Arch Street
14th Floor
Philadelphia, PA 19102

and

HOMICIDE DETECTIVE WILLIAMS
c/o City of Philadelphia Law Department
1515 Arch Street
14th Floor
Philadelphia, PA 19102

and

PHILADELPHIA DISTRICT
ATTORNEY'S OFFICE
Three South Penn Square
Philadelphia, PA 19107-3499

and

SETH WILLIAMS, Individually and in
his official capacity as District Attorney of
the City of Philadelphia
Three South Penn Square
Philadelphia, PA 19107-3499

and

ERIN O' BRIEN, Individually and in
her official capacity as District Attorney of
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Philadelphia, PA 19107-3499 :

and :

JENNIFER MITRICK, Individually and in :
his official capacity as District Attorney of :
the City of Philadelphia :
Three South Penn Square :
Philadelphia, PA 19107-3499 :

and :

COMMONWEALTH OF PENNSYLVANIA :
ATTORNEY GENERAL'S OFFICE :
16th floor, Strawberry Square :
Harrisburg, PA 17120 :

and :

COMMONWEALTH OF PENNSYLVANIA :
BOARD OF PROBATION AND PAROLE :
c/o Attorney General's Office of the :
Commonwealth of Pennsylvania :
16th floor, Strawberry Square :
Harrisburg, PA 17120 :

and :

COMMONWEALTH OF PENNSYLVANIA :
DEPARTMENT OF CORRECTIONS :
c/o Attorney General's Office of the :
Commonwealth of Pennsylvania :
16th floor, Strawberry Square :
Harrisburg, PA 17120 :

DEFENDANTS :

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may

be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Philadelphia Bar Association
1101 Market Street
11th Floor
Philadelphia, PA 19107
(215) 238-6300

ADVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plaza al partir de la fe de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENDUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

Philadelphia Bar Association
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IN THE UNITED STATES DISTRICT COURT
THE EASTERN DISTRICT OF PENNSYLVANIA

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CHRISTOPHER SANDLE	:	
1718 S. 21 st	:	NO. 17-CV-00996
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and

DETECTIVE PHILLIP NARDO
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c/o City of Philadelphia Law Department
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and

HOMICIDE DETECTIVE BAMBRUSKEY:
c/o City of Philadelphia Law Department
1515 Arch Street
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BOARD OF PROBATION AND PAROLE
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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
c/o Attorney General's Office of the
Commonwealth of Pennsylvania
16th floor, Strawberry Square
Harrisburg, PA 17120

DEFENDANTS

AMENDED COMPLAINT - CIVIL ACTION

1. Plaintiff, Noel Quintana a/k/a Christopher Sandle, is an adult individual residing at the above-captioned address.

2. Defendant, the City of Philadelphia (hereinafter “City”) at all relevant and material times hereto was a political subdivision and municipal corporation duly existing and organized under the laws of the Commonwealth of Pennsylvania, with a regular business address as above-captioned.

3. Defendant, the Philadelphia Police Department (hereinafter “PPD”) at all relevant and material times hereto was a political subdivision and municipal corporation duly existing and organized under the laws of the Commonwealth of Pennsylvania, with a regular business address as above-captioned.

4. Defendant, the City of Philadelphia (hereinafter “City”) at all relevant and material times hereto was a political subdivision and municipal corporation duly existing and organized under the laws of the Commonwealth of Pennsylvania, with a regular business address as above-captioned.

5. Defendant, Richard Ross, Jr., at all times relevant and material hereto acted individually and in his official capacity as an agent, servant, worker and employee of Defendant, City, as the Commissioner of the City of Philadelphia Police Department, with a regular business address as above-captioned.

6. Defendant, Police Officer Jeffrey Schmidt, at all times relevant and material hereto acted individually and in his official capacity as an agent, servant, worker and employee of Defendant, City, as a Police Officer of the City of Philadelphia Police Department, with a regular business address as above-captioned.

7. Defendant, Police Officer Sean S. Matrascecz, at all times relevant and material hereto acted individually and in his official capacity as an agent, servant, worker and

employee of Defendant, City, as a Police Officer of the City of Philadelphia Police Department, with a regular business address as above-captioned.

8. Defendant, Police Officer John E. Cole, at all times relevant and material hereto acted individually and in his official capacity as an agent, servant, worker and employee of Defendant, City, as a Police Officer of the City of Philadelphia Police Department, with a regular business address as above-captioned.

9. Defendant, Police Officer Timothy Miller, at all times relevant and material hereto acted individually and in his official capacity as an agent, servant, worker and employee of Defendant, City, as a Police Officer of the City of Philadelphia Police Department, with a regular business address as above-captioned.

10. Defendant, Police Officer Samuel H. Hudson, at all times relevant and material hereto acted individually and in his official capacity as an agent, servant, worker and employee of Defendant, City, as a Police Officer of the City of Philadelphia Police Department, with a regular business address as above-captioned.

11. Defendant, Police Sergeant John Morton, at all times relevant and material hereto acted individually and in his official capacity as an agent, servant, worker and employee of Defendant, City, as a Police Sergeant of the City of Philadelphia Police Department, with a regular business address as above-captioned.

12. Defendant, Detective Michael McGoldrick, at all times relevant and material hereto acted individually and in his official capacity as an agent, servant, worker and employee of Defendant, City, as a detective of the City of Philadelphia Police Department, with a regular business address as above-captioned.

13. Defendant, Detective Thomas Martinka, at all times relevant and material hereto acted individually and in his official capacity as an agent, servant, worker and employee of Defendant, City, as a detective of the City of Philadelphia Police Department, with a regular business address as above-captioned.

14. Defendant, Lieutenant Anthony Mirabella, Jr., at all times relevant and material hereto acted individually and in his official capacity as an agent, servant, worker and employee of Defendant, City, as a Lieutenant of the City of Philadelphia Police Department, with a regular business address as above-captioned.

15. Defendant, Detective Phillip Nardo, at all times relevant and material hereto acted individually and in his official capacity as an agent, servant, worker and employee of Defendant, City, as a detective of the City of Philadelphia Police Department, with a regular business address as above-captioned.

16. Defendant, Homicide Detective Bambrusky, at all times relevant and material hereto acted individually and in his official capacity as an agent, servant, worker and employee of Defendant, City, as a homicide detective of the City of Philadelphia Police Department, with a regular business address as above-captioned.

17. Defendant, Homicide Detective Williams, at all times relevant and material hereto acted individually and in his official capacity as an agent, servant, worker and employee of Defendant, City, as a homicide detective of the City of Philadelphia Police Department, with a regular business address as above-captioned.

18. Defendant, the Philadelphia District Attorney's Office, at all relevant and material times hereto was a political subdivision and municipal corporation duly existing and